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° DISTRICT OF COLUMBIA

* VIRGINIA

FLORIDA

- RHODE ISLAND

OF COUNSEL

HON. JOHN M. XIFARAS *

RETIRED JUSTICE OF THE SUPERIOR COURT

July 28, 2004

Director
Office of Federal Operations
Equal Employment Opportunity Commission
P.O. Box 19848
Washington, DC 20036

Dear Sir or Madam:

Re: Harvey Stewart v. Secretary, Department of Veterans Affairs
EEOC Docket No. 01A43968
Agency Case No. 200G-0525-2002100953

I write pursuant to 29 C.F.R., § 1614.409 to advise you that, subsequent to filing an appeal with your agency, I filed a civil action in United States District Court on behalf of my client, Harvey Stewart, under the provisions of 29 C.F.R., 1614.407, in connection with the above-referenced matter. It is my understanding that, pursuant to the provisions of 29 C.F.R., § 1614.409, the Equal Employment Opportunity Commission's processing of my client's appeal will terminate with the filing of my client's civil action.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Scott W. Lang
SWL/jld